



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 06 2004

Sauget Area 1 Site,
Sauget, IL

EPA Region 5 Records Ctr.



REPLY TO THE ATTENTION OF R-19J

MEMORANDUM

SUBJECT: Establishment of Special Account for Amounts to Be Paid by Settling Defendant Under Consent Decree in United States v. Pharmacia (f/k/a Monsanto Company), et al., Civil Action Number 99-63-GPM

From: Richard C. Karl *R. Karl*
Acting Director, Superfund Division

To: Susan Bromm
Director, OSRE

Joseph L. Dillion
Comptroller, OCFO

For coordination purposes, this memorandum is to inform you of Region 5, Superfund Division's intent to establish a special account for amounts to be paid by the settling defendant pursuant to the attached consent decree captioned United States v. Pharmacia Corporation (f/k/a Monsanto Company), et al., Civil Action Number 99-63-GPM, to be entered in the United States District Court for the Southern District of Illinois.

Background

This consent decree resolves liability of the settling defendant, Mr. Paul Sauget, under Section 107 of CERCLA at the Sauget Area One Site. The decree requires the payment of a stipulated judgment of \$60,000, plus interest, and the payment of 95% of any recoveries of Insurance Proceeds, as provided by the decree.

Summary of Costs

This settlement gives the settling defendant a release from the United States for cost liability related to the Sauget Area One site. U.S. EPA has incurred documented response costs for the site through 2003 in excess of \$1 million, and this settlement will help pay for a portion of these costs. The United States is currently litigating against other PRPs to recover the balance of the Agency's costs for the site.

Additional work will be required at the site to address remaining areas of contamination.

Allocation of Settlement Proceeds

The total amount to be paid by the settling defendant shall be deposited in the Sauget Area One and Two Special Account within the EPA Hazardous Substance Superfund. This special account will be retained and used to conduct or finance response actions at or in connection with the Sauget Area One and Two Sites, to pay for Agency oversight costs, or, as appropriate, to be transferred by EPA to the Hazardous Substance Superfund. Pursuant to the decree, the payments are to be made by FEDWire Electronic Funds Transfer ("EFT") to the U.S. Department of Justice account in accordance with instructions to be provided to Defendant Paul Sauget by the Financial Litigation Unit of the U.S. Attorney's Office for the Southern District of Illinois, upon entry of the Consent Decree. Such instructions to the settling defendant will include a confirmation that proceeds from the decree will be placed in the Sauget Area One and Two Special Account after they are transferred to the Department of Justice account.

The attorney for this site is Thomas Martin at 312-886-4273, and the Remedial Project Manager is Nabil Fayoumi at 312-886-6840.

Attachment

cc: Liam Coonan
Assistant United States Attorney
Southern District of Illinois

Karen Torrent
Trial Attorney
United States Department of Justice

bcc: Anthony Audia

Nabil Fayoumi ✓

Thomas Martin (C-14J)

CONCURRENCE SIGN-OFF FOR THE OFFICE OF REGIONAL COUNSEL									
	Aut.	Sec. Secy.	Sec. Chief	Br. Secy.	Branch Chief	Cheryl/ Darlene	Dep. Reg. Coun	Reg. Coun	Other
Init	TJM		JL						
Date	4-1		4.1.04						

THOMAS MARTIN/rp:886-4273 (C-14A): Memo re Sauget Special Account

Ret

4.6.04